



SECONDARY

THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: PABCO BUILDING PRODUCTS, LLC
Source: EFFLUENT
Basin: BLACK MOUNTAINS AREA
Manner of Use: OTHER
Period of Use: January 1st to December 31st
Priority Date: 03/27/2008

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This secondary permit is issued subject to the terms and conditions under Permit 76861. The granting of this secondary permit is not intended in any way to waive or affect authority or requirements of water quality control agencies or regulations. This permit is further issued subject to the provisions of NRS 533.440 and the State retains the right to regulate the use of the water herein granted at any and all times.

This secondary permit is issued subject to existing rights.

This secondary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this secondary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped for 76861S02 and the records submitted to the State Engineer on an annual basis within 30 days after the end of each calendar year.

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.075 cubic feet per second or 54 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

September 8, 2010

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

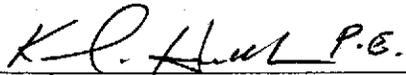
September 8, 2012

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 23rd day of **December**, A.D. **2009**



for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

SECONDARY

Application No. 76861502

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA**

THIS SPACE FOR OFFICE USE ONLY	
Date of filing in State Engineer's Office	<u>JUL 30 2009</u>
Returned to applicant for correction	_____
Corrected application filed	Map filed <u>MAR 27 2008 under 76861</u>

The applicant Pabco Building Products, LLC

P.O BOX 364329 of North Las Vegas
Street Address or P.O. Box City or Town
Nevada, 89036 hereby make(s) application for permission to appropriate
State and Zip Code

the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)
INCORPORATED IN THE STATE OF NEVADA, March 28, 2001

1. The source of water is EFFLUENT (PERMIT 76861)
Name of stream, lake, underground, spring or other sources.
2. The amount of water applied for is 0.075 SECOND FEET (0.048 MGD) second feet.
One second foot equals 448.83 gallons per minute.
 (a) If stored in reservoir give number of acre-feet _____
3. The water to be used for DUST SUPPRESSION AT MINING OPERATION
Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated _____
 - (b) Stockwater, state number and kind of animals _____
 - (c) Other use (describe fully in No. 12) _____
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____

25-51

5. The water is to be diverted from its source at the following point: (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a found section corner. If on unsurveyed land, it should be so stated.)

NO CHANGE FROM PRIMARY PERMIT. MAP FILED UNDER PERMIT NO. 76861
NE 1/4 SW 1/4 Section 7, T. 20 S. R. 64 E, M.D.B.M. or at a point from which the NW corner of said Section 7 bears N 26° 31' 42" W a distance of 3011.533 feet.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.) *and portion NW 1/4 SE 1/4*
The SE 1/4 and portions of SW 1/4 of SEC. 01, a portion of the S 1/2 NE 1/4 of SEC. 11, the SW 1/4 NW 1/4, the E 1/2 NW 1/4, the E 1/2 of the SW 1/4, and the E 1/2 of SEC. 12, A portion of the E 1/2 of the NW 1/4, a portion of the N 1/2 of SE 1/4, and the NE 1/4 of SEC. 13, all within T. 20 S. R. 63 E. M. D. M. All of SEC. 07, 17, and 18. A portion of NE 1/4, a portion of the NW 1/4, and the S 1/2 of SEC. 06, The SW 1/4 of SEC. 08, the N 1/2, the SE 1/4, and the NE 1/4 SW 1/4 of SEC 19, the N 1/2 NE 1/4, the NW 1/4, and the NW 1/4 SW 1/4 OF SEC. 20, All within T. 20 S. R. 64 E. M. D. M. (See item 13 for continuation.)

7. Use will begin about January 1 and end about December 31 of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

EXISTING COGENERATION PLANT AND OUTFALL PIPELINE TO EVAPORATION POND

9. Estimated cost of works: \$0

10. Estimated time required to construct works: Immediate startup
(If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use: five year

12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

The primary permit water is effluent withdrawn from the waste stream prior to discharge into the evaporation pond for the Nevada Cogeneration Associates, #2, Black Mountain cogeneration plant, Clark County. The secondary use is for dust suppression on roads and disturbed areas within the place of use. Effluent water shall be applied by truck and sprinklers, as appropriate. The Nevada Division of Environmental Protection has approved the use of effluent under NEV 90050. Outfall 002. Attached is an effluent water use agreement between Nevada Cogeneration #2 and Pabco Building Products, LLC.

13. Miscellaneous remarks:

PABCO Building Products LLC, has ownership of place of use areas described in No. 6, and U.S. Bureau of Land Management Right-of-Way grants (N-54125 and Nev-54076) for access to their waterline and wells (Pabco's permits 72759 through 72762).

No. 6 continuation POU: PORTIONS OF THE NE 1/4 SW 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4 OF SEC. 20, PORTIONS OF THE NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, AND NE 1/4 SE 1/4 OF SEC. 29 ALL WITHIN T. 20 S. R. 63 E. M. D. M

R. 64 E.

RECEIVED

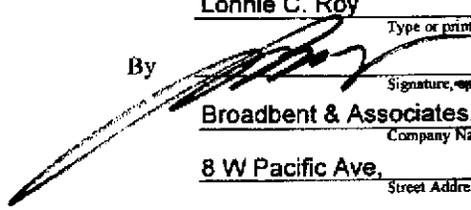
JUL 30 2009

STATE ENGINEER'S OFFICE

lroy@broadbentinc.com
E-mail Address

702-563-0600
Phone No.

Lonnie C. Roy
Type or print name clearly

By 
Signature, applicant or agent

Broadbent & Associates, Inc.
Company Name

8 W Pacific Ave.
Street Address or P.O. Box

Henderson, NV 89015
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

RE per fax

RE per fax